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United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Attn: Hon. Margaret M. Garnett

Re: Helena White v. Sensio, Inc.
Index No. 1:24-cv-01181
Our File No. 25174.00016

Dear Judge Garnett:

The parties submit this joint request to extend all subsequent discovery as set forth within the May 21, 2024 Civil Case Management Plan and Scheduling Order (Docket No. 19) by sixty (60) days. This is the parties' first request to extend any discovery deadline.

As Your Honor may be aware, our office has several other matters pending with Plaintiff's counsel in which suits were commenced against Sensio. To ensure the completeness, accuracy and consistency of responses, and to ensure that the plaintiffs in Sensio's matters receive responsive documents that are entitled to, Sensio voluntarily agreed to conduct ESI. The parties have agreed to an ESI Protocol and Proposed Protective Order, which will be uploaded accordingly.

During the initial data collection, the yield was approximately 4 million documents, with broad initial search terms. Our office then conducted an initial Technology Assisted Review ("TAR"), which somewhat reduced the data set in an effort to obtain a "data review set." Given the volume of data, we then authorized the ESI vendor to retain a team of 50 reviewers to perform a further TAR. Based on the TAR, we were able to narrow the data to 90,000 documents or approximately forty (40) million pages. Based upon our ESI, we recently started supplementing Plaintiff's counsel with additional documents that are responsive to his demands in several other matters in which suits were commenced against Sensio.

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Currently, all fact discovery and depositions pursuant to Fed. R. Civ. P. 30, 31 are scheduled to be completed by September 18, 2024. Next, all expert discovery are scheduled to be completed by November 1, 2024.

Also, we have been advised by Sensio and its insurer, The Cincinnati Specialty Underwriters Insurance Company, that Colella Zefutie LLC is the incoming counsel for Sensio in the above referenced matter. Due to the high likelihood that the substitution of counsel will not be finalized before September 18, 2024, which is the currently deadline for all fact discovery and depositions pursuant to Fed. R. Civ. P. 30, 31, we would like to adjourn every upcoming discovery deadline by sixty (60) days so the incoming counsel can participate in the discovery process.

Our request to adjourn every upcoming discovery deadline by sixty (60) days, if granted, will change the upcoming deadline as follows. First, all fact discovery, depositions pursuant to Fed. R. Civ. P. 30, 31 will be completed by November 18, 2024. Second, all expert discovery will be completed by January 3, 2025.

We can advise your Honor further should you so wish to be kept informed. We thank Your Honor for consideration of this matter, and should Your Honor have any questions, please do not hesitate to contact us.

Respectfully submitted,

Wilson Elser Moskowitz Edelman & Dicker LLP

Raymond Perez

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Johnson & Becker, PLLC



Adam Kress, Esq.

Application GRANTED. It is hereby ORDERED that fact discovery shall be completed no later than **November 18, 2024** and expert discovery shall be completed no later than **January 3, 2025**. It is further ORDERED that the post-fact discovery conference scheduled for December 3, 2024 shall be ADJOURNED to **Tuesday, February 11, 2025 at 9:30 a.m.** in Courtroom 906 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, NY 10007. Any pre-motion letter regarding summary judgment shall be filed no later than **January 17, 2025**. Responses or oppositions to any pre-motion letter shall be due no later than **January 31, 2025**. Should no party file a pre-motion letter, the parties' joint letter shall be due no later than **January 31, 2025**.

Counsel is advised that, pursuant to the Court's Individual Rules, requests for extensions of time must be made at least two business days prior to the due date; future untimely requests may be denied on that basis alone.

The Clerk of Court is respectfully directed to terminate Dkt. No. 23.

SO ORDERED. Dated September 19, 2024



HON. MARGARET M. GARNETT
UNITED STATES DISTRICT JUDGE